

SUBCHAPTER VI—GENERAL PROVISIONS

§§ 4271 to 4278. Repealed. Pub. L. 102-555, § 4, Oct. 28, 1992, 106 Stat. 4166

Section 4271, Pub. L. 98-365, title VI, § 601, July 17, 1984, 98 Stat. 463, related to nondiscriminatory availability of unenhanced data and public availability of terms and conditions for data sales.

Section 4272, Pub. L. 98-365, title VI, § 602, July 17, 1984, 98 Stat. 463; Pub. L. 102-567, title I, § 114(c), Oct. 29, 1992, 106 Stat. 4279, provided for archiving of land remote-sensing data.

Section 4273, Pub. L. 98-365, title VI, § 603, July 17, 1984, 98 Stat. 464; Pub. L. 100-147, title III, § 308, Oct. 30, 1987, 101 Stat. 877, related to nonreproduction of unenhanced data.

Section 4274, Pub. L. 98-365, title VI, § 604, July 17, 1984, 98 Stat. 464, related to reimbursement of Federal agencies for assistance to remote-sensing system operators.

Section 4275, Pub. L. 98-365, title VI, § 605, July 17, 1984, 98 Stat. 464, related to acquisition of equipment from Landsat system.

Section 4276, Pub. L. 98-365, title VI, § 606, July 17, 1984, 98 Stat. 465, related to radio frequency allocation.

Section 4277, Pub. L. 98-365, title VI, § 607, July 17, 1984, 98 Stat. 465, directed Secretary of Commerce to consult with Secretary of Defense on chapter's effect on national security matters, with Secretary of State on chapter's effect on international obligations, and provided for reimbursement of system operators for certain costs.

Section 4278, Pub. L. 98-365, title VI, § 609, July 17, 1984, 98 Stat. 466; Pub. L. 99-62, July 11, 1985, 99 Stat. 118, authorized appropriations for chapter.

For similar provisions, see section 5651 et seq. of this title.

SUBCHAPTER VII—PROHIBITION OF COMMERCIALIZATION OF WEATHER SATELLITES

§§ 4291, 4292. Repealed. Pub. L. 102-555, § 4, Oct. 28, 1992, 106 Stat. 4166

Section 4291, Pub. L. 98-365, title VII, § 701, July 17, 1984, 98 Stat. 466, related to prohibition of commercialization of weather satellites.

Section 4292, Pub. L. 98-365, title VII, § 702, July 17, 1984, 98 Stat. 467, required repeal of chapter prior to any action with respect to the commercialization of weather satellites.

For similar provisions, see section 5671 et seq. of this title.

CHAPTER 69—COOPERATIVE RESEARCH

Sec.	
4301.	Definitions.
4302.	Rule of reason standard.
4303.	Limitation on recovery.
	(a) Amount recoverable.
	(b) Recovery by States.
	(c) Conduct similar under State law.
	(d) Interest.
	(e) Applicability.
4304.	Award of costs, including attorney's fees, to substantially prevailing party; offset.
4305.	Disclosure of joint venture.
	(a) Written notifications; filing.
	(b) Publication; Federal Register; notice.
	(c) Effect of notice.
	(d) Exemption; disclosure; information.
	(e) Withdrawal of notification.
	(f) Judicial review; inapplicable with respect to notifications.
	(g) Admissibility into evidence; disclosure of conduct; publication of notice; supporting or answering claims under antitrust laws.

Sec.	
4306.	Application of section 4303 protections to production of products, processes, and services.

§ 4301. Definitions

(a) For purposes of this chapter:

(1) The term "antitrust laws" has the meaning given it in subsection (a) of section 12 of this title, except that such term includes section 45 of this title to the extent that such section 45 of this title applies to unfair methods of competition.

(2) The term "Attorney General" means the Attorney General of the United States.

(3) The term "Commission" means the Federal Trade Commission.

(4) The term "person" has the meaning given it in subsection (a) of section 12 of this title.

(5) The term "State" has the meaning given it in section 15g(2) of this title.

(6) The term "joint venture" means any group of activities, including attempting to make, making, or performing a contract, by two or more persons for the purpose of—

(A) theoretical analysis, experimentation, or systematic study of phenomena or observable facts,

(B) the development or testing of basic engineering techniques,

(C) the extension of investigative findings or theory of a scientific or technical nature into practical application for experimental and demonstration purposes, including the experimental production and testing of models, prototypes, equipment, materials, and processes,

(D) the production of a product, process, or service,

(E) the testing in connection with the production of a product, process, or service by such venture,

(F) the collection, exchange, and analysis of research or production information, or

(G) any combination of the purposes specified in subparagraphs (A), (B), (C), (D), (E), and (F),

and may include the establishment and operation of facilities for the conducting of such venture, the conducting of such venture on a protected and proprietary basis, and the prosecuting of applications for patents and the granting of licenses for the results of such venture, but does not include any activity specified in subsection (b) of this section.

(b) The term "joint venture" excludes the following activities involving two or more persons:

(1) exchanging information among competitors relating to costs, sales, profitability, prices, marketing, or distribution of any product, process, or service if such information is not reasonably required to carry out the purpose of such venture,

(2) entering into any agreement or engaging in any other conduct restricting, requiring, or otherwise involving the marketing, distribution, or provision by any person who is a party to such venture of any product, process, or service, other than—

(A) the distribution among the parties to such venture, in accordance with such ven-